

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION**

BARBARA ELLEN HICKEY,

Plaintiff,

v.

**SOCIAL SECURITY
ADMINISTRATION,**

Defendant.

NO. 2:18-cv-00071

ORDER

Before the Court is the Magistrate Judge's Report and Recommendation (Doc. No. 29) recommending that Hickey's Motion for Judgment on the Record (Doc. No. 19) be denied and the Commissioner's decision affirmed. In response, Hickey has filed two documents: (1) a Response to Defendant's Motion for Judgment on the Administrative Record (Doc. No. 32); and (2) a Motion for Reconsideration of the Report and Recommendation (Doc. No. 33). The Court construes Hickey's reconsideration motion as her objections to the R&R.


First, considering Hickey's Response to Defendant's Motion for Judgment on the Administrative Record (Doc. No. 32), this filing should be stricken and given no weight. Both the record before the Court and the R&R make abundantly clear that the Motion for Judgment on the Administrative Record was fully briefed. Hickey filed a Motion for Judgment on the Administrative Record (Doc. No. 19), the Social Security Administration responded (Doc. No. 21), and Hickey filed her reply (Doc. No. 27). Thus, the motion was fully briefed in accordance with the Court's Local Rules. See LR. 7.01(a)(2)-(4) (describing the required briefing for a motion involving resolution of an issue of law, including filing the initial motion, the required response, and optional reply). Further, this briefing was completed in March 2019, and the R&R was issued

July 23, 2019. (See Doc. Nos. 27, 29.) Hickey has not filed any motions requesting rebriefing, but, rather, has charged ahead and filed her self-styled “response” to her own motion. The Court will not consider this document, and, instead, focuses its attention on the R&R and Hickey’s objections.

Hickey has not presented proper objections to the R&R. In this circuit, litigants must file specific and timely objections to a magistrate judge’s report and recommendation under 28 U.S.C. § 636(b)(1)(C) in order to preserve the right to appeal a subsequent order of the district court adopting that report. Cole v. Yukins, 7 F. App’x 354, 356 (6th Cir. 2001) (citing Thomas v. Arn, 474 U.S. 140, 155 (1985)). The filing of vague, general, or conclusory objections does not meet the requirement of specific objections and is tantamount to a complete failure to object. Id. (citing Miller v. Currie, 50 F.3d 373, 380 (6th Cir. 1995)). Hickey’s objections are conclusory, as they lack any citation to the record or legal authority, and, therefore, fail to properly challenge the Magistrate Judge’s R&R findings. See id.

Therefore, upon *de novo* review in accordance with Rule 72 of the Federal Rules of Civil Procedure, the Court agrees with the recommended disposition. Accordingly, the Magistrate Judge’s Report and Recommendation (Doc. No. 29) is **APPROVED AND ADOPTED**, and Hickey’s Motion for Judgment on the Record (Doc. No. 19) is **DENIED**. The Commissioner’s decision is **AFFIRMED**.

IT IS SO ORDERED.



WAVERLY D. CRENSHAW, JR.
CHIEF UNITED STATES DISTRICT JUDGE